GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Municipal Administration & Urban Development Department – The Gannavaram Airport Development Land Pooling Scheme (Formulation & Implementation) Rules, 2015 - Notification – Issued.

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MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (M2) DEPARTMENT

G.O.MS.No. 190 **Dated:27.08.2015**

Read the following:

1. Andhra Pradesh Capital Region Development Authority Act, 2014 (Act No.11 of 2014).
2. G.O.Ms.No.254, MA & UD (M2) Department, dated: 30.12.2014
3. G.O.Ms.No.169, MA & UD (M2) Department, dated: 29.06.2015
4. The RFCT in LA, R&R Act, 2013.
5. Letter of collector, Krishna District Rc.No.G1/1984/15, Dt:31.07.2015.

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O R D E R:

The Government in G.O 3rd read above, have adapted voluntary Land Pooling Scheme for procuring Land for the expansion of existing Gannavaram Airport which falls within Andhra Pradesh Capital Region Development Authority limits and designated the Collector, Krishna District, Commissioner, Capital Region Development Authority and Revenue Divisional Officer of Krishna District as competent Authorities to carryout the work of voluntary Land Pooling Scheme. Further, the Collector in consultation with commissioner, Capital Region Development Authority shall make the Development the said Scheme and the Commissioner, Andhra Pradesh Capital Region Development Authority also directed to earmark developed plots for allotment to the Land owners in the Amaravati City limits.

2. Accordingly, the Collector in the letter 5th read above has submitted proposal for Gannavaram Airport Development Scheme.

3. After careful examination of the proposal, the Government have decided to prescribe the 'Gannavaram Airport Development Land Pooling Scheme (Formulation and Implementation) Rules 2015', under the provisions of section 18(2)(f) of Andhra Pradesh Capital Region Development Authority Act, 2014 read with Section 108 of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

4. A copy of this order is available in the Internet and can be accessed at the address http://goir.ap.gov.in/

5. Accordingly, the appended notification will be published in an Extra-ordinary issue of Andhra Pradesh Gazette dated:**27.08.2015**.

6. The Commissioner, Printing, Stationery & Stores Purchase(Printing wing), Hyderabad is requested to publish the said rules by notification and

furnish 300 copies of the notification to the Government and 200 copies each to the Commissioner, Capital Region Development Authority and District Collector, Krishna District.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJAY JAIN
SECRETARY TO GOVERNMENT (CRDA)

To
The Commissioner, Printing, Stationery & Stores Purchase(Printing wing), Hyderabad.
The Commissioner, Capital Region Development Authority, Vijayawada.
The District Collector, Krishna District,
The District Collector, Guntur District,
The Commissioner, VMC Vijayawada,
The Commissioner, Guntur Municipal Corporation, Guntur,
The Commissioner & Director of Municipal Administration, A.P. Hyderabad.
The Director of Town & Country Planning, Andhra Pradesh, Hyderabad.
The Accountant General, Andhra Pradesh, Hyderabad.
Copy to
The PS to Hon'ble Chief Minister
The PS to Hon'ble Minister for MA&UD
The PS to Hon'ble Minister for Finance
The PS to Chief Secretary
The PS to Principal Secretary to Government, Revenue Department
The PS to Secretary to Government (CRDA), MA&UD Dept.,
The PS to Principal Secretary to Government Finance Department;
The Law (LSP) Department.
SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER

NOTIFICATION

In exercise of the powers conferred by clause (f) of sub-section (2) of section 18 of Andhra Pradesh Capital Region Development Authority Act, 2014 [Act 11 of 2014] read with Section 108 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, the Government of Andhra Pradesh hereby make the following rules, namely, "Gannavaram Airport Development Land Pooling Scheme (Formulation and Implementation) Rules, 2015".

RULES

1. **Introduction.** Government have decided to expand Gannavaram Airport near Vijayawada to international standards to cater to the needs of Amaravati Capital City. Land required for expansion of the airport is under acquisition. In order to make the landowners partners in the development of Amaravati City, the land pooling option is provided. Land Pooling mechanism is mainly adopted wherein land parcels owned by individuals or group of owners are legally consolidated by transfer of ownership rights to the Authority, which later transfers the ownership of a part of the land in Amaravati City back to the land owners. The broad objective of the scheme is to make the families affected by the expansion of Airport as partners in development.

2. **Short title and Extent**

   (1) These rules may be called as 'Gannavaram Airport Development Land Pooling Scheme (Formulaton and Implementation) Rules 2015'.

   (2) They shall extend to the lands required to make special development scheme for expansion of existing Gannavaram Airport near Vijayawada to cater to the needs of Amaravati City.

3. **Definitions.** (1) In these rules, unless the context otherwise requires:--

   (a) 'Act' means the Andhra Pradesh Capital Region Development Authority Act, 2014;

   (b) 'Airport' means existing Gannavaram Airport and includes the areas proposed for its expansion.

   (c) 'Appellate authority' means the District Collector, Krishna

   (d) 'Authority' means the Capital Region Development Authority constituted under sub-section (1) of section 4 of the Act;

   (e) 'Commercial' means area set apart for developing commercial space to undertake commercial activity as per the standards and norms laiddown in the Amaravati City master plan or any other area development plan;

   (f) 'Competent authority' means Commissioner, CRDA, District Collector, Joint Collector, Revenue Divisional Officer and includes any other officer not below the rank of Deputy Collector appointed by the Government of Andhra Pradesh.

   (g) `Government' means the Government of Andhra Pradesh;

   (h) 'residential' means area set apart for developing residential space asper the standards and norms laid down in the Amaravati City master plan or any other area development plan;

   (i) 'Website' in the context of Land Pooling refers to official website of the Authority; and

(2) Words and expressions used but not defined in these rules shall have meanings assigned to them in the Act.

4. **Applicability.** (1)These rules shall be applicable to the entire notified area by the Competent Authority under rule 6(2) of these rules read with section 43(5) of the Andhra Pradesh Capital Region Development Authority Act, 2014 or to the entire area notified by the Collector under section 11(1) of the Land Acquisition, Rehabilitation and Resettlement Act, 2013 for expansion of Gannavaram Airport.

5. **General.** (1) The Authority may undertake to develop a land pooling scheme pursuant to the notification issued under sub-section (5) of section 43 of the Act.

6. **Declaration of intention.** (1) Upon the requisition by Commissioner or District Collector, the Government may appoint any officer not below the rank of a Deputy Collector as Competent Authority for Land Pooling under the functional and administrative control of the District Collector. The District Collector and the Competent Authority shall periodically report the progress of the land pooling to the Commissioner and seek guidance for effective pooling to gather various land parcels.

(2) Pursuant to the notification issued under sub-section (5) of section 43 of the Act, the Competent Authority shall issue a notice in **Form 1:**

(i) inviting objections and suggestions on the proposed Land Pooling Scheme (LPS) in **Form 2** from the land owners within **fifteen days** from the date of publication;

(ii) inviting participation of land owners in the proposed Land Pooling Scheme by receiving irrevocable consent applications in **Form 3** from the land owners;

(3) The notice shall contain the details of public purpose, area, extent, with survey numbers and reputed owners as available in cadastral register along with a plan if any, and shall be published in the manner provided under section 136 of the Act.

(4) No notice under this rule shall be required if a notice under section 11(1) of the Land Acquisition, Rehabilitation and Resettlement Act, 2013 is issued. The area notified under section 11(1) of Land Acquisition, Rehabilitation and Resettlement Act, 2013 shall be deemed to be the area notified in Form 1 under Land Pooling Scheme as per rule 6(2).

(5) A notice under section 11(1) of the Land Acquisition, Rehabilitation and Resettlement Act, 2013 shall empower the affected individuals to exercise option under section 108 of the Land Acquisition, Rehabilitation and Resettlement Act, 2013 for Land Pooling Scheme covered by these Rules.

7. **Notification of final area.** (1) All the objections and suggestions received pursuant to rule 6 (2) (i) and any request for modifying the extent of the scheme area shall be examined in detail, considered and disposed off by the Competent Authority with in **fifteen** days in **Form 4.** The final area notification shall be given in **Form 5** with in **fifteen** days from the date of such orders.

(2) An appeal lies on the orders of the Competent Authority within **seven days** from the date of receipt of orders of the Competent Authority under rule 7(1).

8. **Declaration of ownership (section 48(1) and section 50 of the Act):** (1) Upon receipt of irrevocable consent application in **Form 3** public or individual notice in **Form 6** shall be sent to the landowner or public in general in accordance with procedure laid down under section 133 of the Act , seeking ownership records, encumbrances and objections on ownership, extent and boundaries, within **fifteen days** from the date of issue of notice in **Form 6**.

(2) Verification of the title, extent and boundaries of the land parcels shall be done with reference to:

(i) the cadastral record such as Re-survey Register (RSR), Adangal, Field Measurement Book (FMB), Record of Rights (RoR) registers and such other registers available with the Collector;

(ii) the registration record (conveyance record) consisting of all types of registered documents, encumbrance certificates, link documents and such other records available with Registrar;

(iii) records available with religious and charitable institutions / wakf institutions

(iv) the enjoyment survey duly demarcating possession / ownership of the applicant; and

(v) hearing / enquiry conducted by the Competent Authority.

(3) Determination of Government lands, assigned lands, endowment lands, wakf lands, bhoodan lands, forest lands or such other categories of lands shall be done by the Competent Authority after due verification as per rule 8(2) after considering the rival claims and objections received;
Provided that while determining the ownership of such lands:

(i) lands belonging to endowments or wakf shall be treated on par with patta lands in terms of payment of benefits;

(ii) unsettled inam lands may be settled following the procedure of Inam settlement;

(4) The Competent Authority shall examine the **Form 3 claims** and the rival claims received duly verified as specified in rule 8(2), and pass orders in **Form 7** under his revenue seal and signature declaring the ownership and extent. Such orders shall contain true owners, apportionment of the land if any, entitlement of residential and commercial Reconstituted Plots (RP) and option for joint allocation.

(5) Payment of benefits may commence after issue of **Form 7** orders.

(6) Such cases where disputes with regard to land ownership remain unresolved shall be referred to a Court of competent jurisdiction along with the benefit payments, and such referral shall not act as a bar for including the land under the land pooling scheme.

(7) Registration of **Form 3 claims supported by Form 7 orders** shall be done by registrar suo-moto and such registration shall be exempted from Stamp duty and Registration fee.

(8) After issue of orders in **Form 7,** but before issue of Land Pooling Ownership Certificate (LPOC) under rule 11(3), the landowners are permitted to make legal partition among the family members by filing notarized affidavit at their responsibility. Registration fee shall be exempted for such bonafide partitions.

9. Draft LPS. (1) As soon as may be, after the notification of intention to make the Land Pooling Scheme, the Competent Authority shall complete the preparation of the draft LPS within **180 days.**

(2) The draft LPS shall consist of:

(i) combined sketch with area statement duly taking technical support from Assistant Director Survey & Land Records;

(ii) list of eligible landowners with area statement and entitlements;

(ii) demarcation sketch duly showing the original lands belonging to landowners covered by orders of the competent authority.

(iii) Reconstituted land in Amaravati City earmarked for the land owners belonging to this LPS area;

(iv) The draft LPS shall contain explanatory note explaining the salient features of the proposed development scheme.

(3) Competent Authority shall publish draft LPS in **Form 8** calling for objections or suggestions from the land owners giving a time period of **thirty days** from the date of such notice, in the manner specified in section 136 of the Act.

(4) Any person affected by the said draft LPS may submit objections or suggestions of the LPS in **Form 9** and the Competent Authority shall consider the same and modify the Scheme with the approval of the District Collector and Commissioner, Capital Region Development Authority.

10. Final LPS. (1) Upon approval, the draft LPS becomes the Final LPS and the Competent Authority shall publish it in **Form 10** within **fifteen days** of approval, in the manner specified in section 136 of the Act.

(2) Competent Authority for Land Pooling shall thereafter take over possession of the land from the owner/owners.

(3) Registrations of land shall be allowed except during the period between draft LPS and issue of LPOC.

11. Vesting of land in Authority and issue of Land pooling ownership certificate. (1) After notification of the final LPS, all the lands shall vest absolutely in the Authority free from all encumbrances under sub-section (2) of section 57, and the District Collector may summarily evict illegal occupants and enforce the scheme.

(2) Within **thirty days** from the date of physical marking of the reconstituted plots earmarked for Gannavaram Airport Development Scheme in Amaravati City, the allotment of reconstituted plots shall be done to landowners by draw of lots, in an objective and transparent manner with due publicity under video cover.

(3) Within **thirty days** of allotment, the Competent Authority of Amaravati Capital City Area shall issue a **Land Pooling Ownership Certificate [LPOC]** in **Form 9.24** of Capital City Land Pooling Scheme (Formulation and Implementation) Rules, 2015, which shall be the final proof of the holder's title to that land and thereafter cause entry of such ownership details into the records of the registration department without any cost to the land owner.

(4) The LPOC shall contain details of the land owner's original land and reconstituted plot in Capital City along with sketches.

(5) The details of the LPOCs and parcels of land contributed by the land owners for Gannavaram Airport Development Scheme shall be made available on the website.

(6) The copies of the documents, plans and maps relating to the Final LPS shall be sent to the Stamps and Registration department as well as Mandal Revenue Office, where such copies shall be kept and made accessible to the public.

12. **Implementation of final LPS**. (1) After the notification of the Final LPS the Authority shall take over all lands allotted to it and shall record the details of all such lands in **Form 9.27** register as per Capital City Land Pooling Scheme (Formulation and Implementation) Rules, 2015.

(2) The final LPS notification under rule 10(4) of the Capital City Land Pooling Scheme (Formulation and Implementation) Rules, 2015 shall be a deemed land development permission by the Authority. The plot owners may apply for development permission in Amaravati City.

(3) Within one year from the date of final LPS notification in Amaravati City, the Authority will complete the basic formation of roads and physical demarcation and handover physical possession of plots allotted.

(4) After handing over of physical possession of plots, a fresh cadastral record shall be prepared and such record shall be the basis for all registrations.

(5) LPOCs granted shall be registered without charging registration fee from the landowners in accordance the provisions of the Registration Act, 1908 as mentioned under section 51 and section 57(4) of the Act.

(6) Within three years from the date of final LPS in Amaravati Capital City Area, the Authority will develop the infrastructure in a phased manner.

13. **Completion of final Land Pooling Scheme in Capital City Area.**

(1) Within a period of **thirty days** from the date of completion of development of infrastructure, the Commissioner will publish a notice of Completion of the final Land Pooling Scheme in Amaravati Capital City area in Form 9.29 of Capital City Land Pooling Scheme (Formulation and

Implementation) Rules, 2015, duly furnishing the details of completion of the works along with the necessary infrastructure plans.

(2) Within thirty days after preparation of fresh cadastral record, the Commissioner shall publish in Form 9.30 of Capital City Land Pooling Scheme (Formulation and Implementation) Rules, 2015, the details of reconstituted plots after carrying out mutations in Land Records.

(3) Upon verification of the above details, the Commissioner will issue the Completion Certificate in Form 9.31 of Capital City Land Pooling Scheme (Formulation and Implementation) Rules, 2015, along with layout of final Land Pooling Scheme.

14. Maintenance of the common infrastructure and facilities after issue of completion certificate.

(1) The Commissioner either on his own or by authorizing another agency direct maintenance of the infrastructure and amenities under the Amaravati Capital City Area, by collecting the necessary user charges for such maintenance.

(2) Reconstituted plot owners and any other purchaser of the reconstituted plot shall pay the user charges levied by the agencies responsible for provision of civic services such as roads, street lighting, solid waste management, sewerage treatment facility, water supply, parks and play grounds or such other amenities.

15. Powers of Competent Authority. (1) The Competent Authority or his officers shall be competent to enter and conduct land survey, and establish the true area falling under the land pooling or to confirm true area of the claim of person/persons interested and ascertain the original plot area or the apportionment of land, wherever required.

(2) The Competent Authority or his officers shall have the powers to ascertain the ownership, extent and boundaries under Revenue Acts and other laws in general and specifically:

i) To summon and examine the witnesses or the records under the Andhra Pradesh Revenue Summons Act, 1969(Act III of 1869);
ii) To conduct enquires to apportion the respective claims among the multiple persons interested in a parcel of land; and
iii) To pass orders in **Form 7** after establishing the ownership of the land.

16. Miscellaneous.

(1) The Authority's decision shall be final in all matters relating to Gannavaram Airport Development Scheme.

(2) The Authority, for the purposes of effective preparation and implementation of the Development Scheme, may delegate powers to the extent required to the officers of the Authority / District Collector.

(3) The District Collector may extend time limits for any of the activities mentioned under these rules for valid reasons.

(4) Competent Authority for Gannavaram Airport Development Scheme shall act as the grievance redressal officer at any stage. An appeal shall lie to the collector whose decision shall be final.

AJAY JAIN
SECRETARY TO GOVERNMENT (CRDA)

Contd... Schedules

SCHEDULE 1
PROCESS OF THE SCHEME:

(1) Notification of declaration of intention to pool lands.

(2) Obtain irrevocable consents.

(3) Invite general objections & suggestions on the intention, dispose objections & suggestions and notify final area under the scheme.

(4) Conduct claim enquiry on consents and pass orders establishing ownership.

(5) Register the claims supported by ownership orders with registration department.

(6) Refer unsettled disputes to courts of competent jurisdiction.

(7) Make benefit payments.

(8) Prepare draft land pooling scheme, invite objections and notify final land pooling scheme.

(9) Transfer of ownership of rights to the Authority for the purpose of implementing development scheme.

(10) Allot reconstituted plots and issue LPOC in Amaravati City.

(11) Complete basic formation of roads and physical demarcation of plots.

(12) Handover physical possession of reconstituted plot to the land owners.

(13) Prepare fresh cadastral record.

(14) Complete infrastructure development.

SCHEDULE II

ROLE AND RESPONSIBILITY OF THE AUTHORITY

1. towards land owners under the Gannavaram land pooling scheme:

(a) to undertake the implementation of land pooling scheme for Gannavaram Airport and develop plots in Amaravati City.

(b) to issue statutory receipt for consent application with documents.

(c) to allot reconstituted plots by lottery in Amaravati City after allocation to the landowners of Amaravati City who surrendered their lands under Land Pooling Scheme.

(d) the authority shall guarantee the return of reconstituted land and payment of benefits in Amaravati Capital City to the landowners for every acre of original land surrendered under Gannavaram Airport Development Land Polling Scheme.

Land **(1)**	**Category** **(2)**
Patta / Endowment/ Wakf	
Residential	1000 Sq.Yds
Commercial	450 Sq.Yds
Assigned	
Residential	800 Sq.Yds
Commercial	200 Sq.Yds
Yearly payment for 10 years (Rs)	50000
Yearly increase (Rs)	5000

(e) To convert the plot area into agriculture area, the common area left in a layout shall be added proportionately to the plot area and the returnable land under LPS should be decided and conversion tax paid by landowners for converting agricultural land into layout or proposed layout shall be refunded with 4% interest.

(f) For the farmers who have given their lands of less than one acre in Land Pooling Scheme, will be paid Rs. 50,000/- for a period of 10 years with yearly increase of Rs. 5000/-. "This benefit shall be applicable upto the last date of filing applications in Form 3 as announced and for confirming extent, ownership for purpose of ascertaining eligibility to get minimum benefit. Further sub-divisions / claims shall be paid proportionate to extent".

(g) For the owners who gave their lands with structures / poultry / trees etc., embedded to earth will get the valuation of such structure / poultry / trees etc., existing as on the date of notification under Rule-

6 in **Form 1**. The estimated value shall be as per R&B norms for structures / poultries etc., and as per Departmental norms of Horticulture / Forests for trees / topes.

(h) The annual payment will start from 01-09-2015.

(i) The Government shall provide pension of Rs. 2,500/- per month per family for a period of 10 years to all landless families through a Capital Region Social Security Fund from 01-09-2015.

(j) Issue statutory land pooling ownership certificate [LPOC] with alienable rights within 9 months of agreement with all willing land owners.

(k) Handover physical possession of reconstituted plot within 1 month from the date of allocation of reconstituted plots to the landowners who surrendered lands under LPS.

(l) Complete the development of the scheme area within 3 years of issue of LPOC.

(m) Provide reconstituted plots in one area to a land owner having original plots in different areas as per the category of original land.

(n) Provide reconstituted plots in one area to different land owners requesting for joint allocation as per the category of original land.

(o) Issue LPOC and pay annuity to the religious institutions or charitable trusts under the purview of endowment department in cases where original lands belong to them.

2. towards development of the area under LPS in Amaravati Capital City :

(a) to declare areas under land pooling scheme and preparation of layout plans and sector plans based on the requirement of physical infrastructure.

(b) to super impose revenue maps on the approved master plan.

(c) to demarcate all the roads as per layout plan and sector plan within the assembled area and give approval of layout plans/detailed plans.

(d) to develop of sector roads/internal roads/ infrastructure/services (including water supply lines, power supply, rain water harvesting, sewage treatment facilities, water treatment facilities, etc. falling in the share of the land guaranteed to the land owners.

(e) to create infrastructure facilities, roads, parks, cremation facility for all religions, community needs etc. at the city level.

(f) to develop identified land in time bound manner with master plan roads, provision of physical infrastructure, and traffic and transportation infrastructure inclusive of metro corridors.

(g) to complete external development in time bound manner.

(h) to complete development in time and maintain it with all the neighbourhood level facilities i.e. open spaces, roads and services.

SCHEDULE- III

ROLE AND RESPONSIBILITY OF THE GOVERNMENT

1. towards land owners:

(a) to provide registration for LPOC without payment of registration charges for the plots allotted in Amaravati City.

(b) to provide one time exemption from stamps and registration fee, Non-Agricultural Land Assessment and development fee.

(c) to exempt registration fee for registering the agreements with Competent Authority for Development Scheme / LPS.

2. towards others residing within the area under Development Scheme:

a) to provide one time agricultural loan waiver up to one lakh fifty thousand rupees per family to farmers as per prescribed procedure of Government.

b) to provide interest free loan up to 25 lakhs to all the poor families for self employment.

3. towards other benefits

1) to provide free education and medical facilities to all those residing as on Notification of declaration of intention.
2) to enhance the limit under NREGA up to 365 days a year per family.
3) to establish skill development institution and provide training with stipend to enhance the skills of cultivating tenants, agricultural labourers and other needy persons.
4) to issue ownership and transit permission through forest department for cutting and sale of teak trees in private lands duly exempting the relevant fees.
5) to allow standing crop to be harvested.

SCHEDULE- IV

ROLE AND RESPONSIBILITY OF THE LAND OWNERS

(1) to give consent application, and facilitate survey and demarcation.
(2) to prove rights over the land.
(3) to transfer ownership rights to the Authority against a guaranteed return of reconstituted plot in the Amaravati City.
(4) not to create any encumbrances after entering into agreement with the Competent Authority for Development Scheme.
(5) to handover physical possession of lands covered by Development Scheme to the Competent Authority for expansion of Gannavaram Airport.
(6) The owners shall be responsible for the following, namely:-
a) all the required infrastructure within the Final Plot;
b) obtaining all 'No Objection Certificates' required for the development of the reconstituted plot and following the prevailing Development Promotion Regulations and Building Regulations / Rules depending on the type of development proposed; and
c) payment of necessary fees and charges as per the rules for the sanction of development permission.

AJAY JAIN
SECRETARY TO GOVERNMENT (CRDA)

SECTION OFFICER